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REMARKS/ARGUMENTS

This paper is submitted in response to the Final Office Action dated October 31, 2007.

Reconsideration is respectfully requested in view of the amendments and arguments.

Claim rejections under 35 USC § 102

The Examiner rejected Claims 1, and 6-8 as being anticipated by Yurdin (Fig. 5; col. 5, lines 10-17). Anticipation requires identity of invention. Each and every element recited in a claim must be found in a single prior art reference and arranged as in the claims. There must be no differences between what is claimed and what is disclosed in the prior art reference.

Applicants' device clearly is distinguishable over the Yudin reference and has applicants have amended the independent claims 1 and 6 to more narrowly define the invention by including a wick which is axially extending from the reservoir and a manifold which has a plurality of openings for dispensing the evaporate able material. In contrast, Yurdin teaches a design which does not provide an axially disposed wick. Clearly, Yurdin teaches the use of two non-axially disposed wicks 54 extending into the blower housing (see Figs. 2 and 3, Col. 2, lines 44 *et seq.*), or one wick 54' non-axially extending into a bent duct.

In addition, Yurdin does not teach a device which includes a separate manifold with a plurality of vents extending to the atmosphere and at least one internal baffle adapted to direct said airflow in a desired direction. Instead, Yudin discloses a blower housing 14 that is mounted on a side wall 44. The blower housing 14 is also connected to the side wall 44 (Fig. 2 and 5) via a plenum or duct and has as a discharge outlet 36 with a flange 38 at its outer end. An opening 46 through the sidewall 44 provides for passage of air from the blower 16 into the duct. The opening 46 is normally closed by a valve 48 (Fig. 2). The embodiment of FIG. 5 has a check valve on the delivery side of the blower 16. A vane 110 which swings on a horizontal axle 112 extends across the outlet from the blower 16. However, this "vane" is a simple flap having an axle 112 located above the center of the vane so that the vane normally occupies a vertical position under the influence of gravity, as shown in full lines in FIG. 5. When there is pressure exerted against the vane 110 by air from the blower 16, the vane 110 swings into the dotted line position shown and permits air to flow freely through the opening 46. When the blower is stopped, and there is pressure in the duct higher than that in the blower, the vane 110 is prevented

from swinging inward toward the blower by an abutment 116 at the bottom of the blower outlet. Thus the vane 110 acts as a check valve to limit air flow to one direction only.

Lastly, Yurdin does not provide a separate manifold with a plurality of vents extending to the atmosphere. Yurdin provides one duct outlet. As mentioned above, Yurdin provides a blower housing 14 which has a discharge outlet 36 with a flange 38 at its outer end. The flange 38 is used to connect the assembly with a sidewall 44 (FIG. 2) of a plenum or duct, and there is an opening 46 through the sidewall 44 for passage of air from the blower 16 into the duct.

Thus, Yurdin does not anticipate the invention as claimed in claims 1, 6-8 and thus, the rejection should be withdrawn.

Further, the Examiner rejected Claims 1, 4, 6-8, and 10-12 as being anticipated by Jane et al.

'615 (Fig.4). Applicants submit that Jane '615 does not anticipate applicants claimed invention. Jane discloses a humidifier which teaches a tank reservoir 14 of evaporatable material disposed adjacent to the location of a wick 74. The wick therefore does not extend axially from the reservoir/tank, as is claimed by Applicants. Instead, the evaporatable material in Jane is carefully dosed from the reservoir/tank 66 to reach the wick via valve plunger 57, valve seal 58, and a tray 65 containing a portion of the evaporatable material.

Jane '615 does not disclose a wick extending axially from a reservoir. Instead, Jane provides a tank/reservoir which is disposed entirely separated from the wick. Jane also does not teach a blower being axially aligned with the reservoir.

Thus, Jane '615 does not anticipate the invention as claimed in claims 1, 4, 6-8, and 10-12 and thus, the rejection should be withdrawn.

In addition, the Examiner rejected Claims 1,3,6-9, 11 and 12 as being anticipated by Jane et al

'967 (Figs. 8 and 10; col.4, lines 59-67). Applicants submit that Jane '967 does not anticipate applicants claimed invention. Jane discloses a humidifier which teaches a tank reservoir 13 of evaporatable material disposed adjacent to the location of a wick 30. The wick therefore does not extend axially from the reservoir/tank, as is claimed by Applicants. Instead, the evaporatable material in Jane '967 is carefully dosed from the reservoir/tank 13 to reach the wick 30 via a

heater coil 60 in a warm heat chamber 44 warming housing. Jane '967 does not disclose a wick extending axially from a reservoir. Instead, Jane '967 provides a tank/reservoir which is disposed entirely separated from the wick. Jane also does not teach a blower being axially aligned with the reservoir.

Thus, Jane '697 does not anticipate the invention as claimed in claims 1, 4, 6-8, and 10-12 and thus, the rejection should be withdrawn.

Lastly, the Examiner rejected Claim 12 as being anticipated by any one of Mulvaney et al '086 (Fig.1), Mulvaney '993 (Fig.1) and Mulvaney '550 (Fig. 1). Applicants submit that claim 12 is not anticipated by either of the Mulvaney references. Claim 12 as currently amended includes An improved powered dispensing device adapted to dispense an evaporable material into an atmosphere, which includes a reservoir containing evaporable material, a wick extending axially from said reservoir and providing a evaporable material to a headspace surrounding an exposed end of the wick, a fan, which, when operating, induces a flow of air from the ambient environment in a direction parallel to that of the air drawn into the fan, through the headspace and out into the atmosphere through a separate manifold having at least one a plurality of vents exiting to the atmosphere and being axially aligned with the wick, and thereby convey evaporable material into the atmosphere. The Mulvaney references do not disclose a separate manifold having at least one a plurality of vents exiting to the atmosphere and being axially aligned with the wick.

Thus, the Mulvaney references do not anticipate the invention as claimed in claim 12 and thus, the rejection should be withdrawn.

Applicants submit that the claims as amended are allowable over the art cited.

#### **CONDITIONAL PETITION FOR EXTENSION OF TIME**

If entry and consideration of the amendments above requires an extension of time,

Applicants respectfully request that this be considered a petition therefor. The Assistant Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

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**ADDITIONAL FEE**

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

Respectfully submitted,

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